

Message Text

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ACTION EB-11

INFO OCT-01 EUR-25 EA-11 IO-14 ISO-00 L-03 SS-20 NSC-07

AID-20 CEA-02 CIAE-00 COME-00 FRB-02 INR-10 NEA-14

NSAE-00 RSC-01 OPIC-12 SP-03 TRSE-00 CIEP-02 LAB-06

SIL-01 SWF-02 OMB-01 STR-08 OIC-04 DRC-01 /181 W

----- 098478

R 011746Z JUL 74

FM AMEMBASSY BONN

TO SECSTATE WASHDC 3544

INFO AMEMBASSY COPENHAGEN

AMEMBASSY DUBLIN

AMEMBASSY BRUSSELS

AMEMBASSY THE HAGUE

AMEMBASSY LONDON

AMEMBASSY PARIS

AMEMBASSY ROME

AMEMBASSY LUXEMBOURG

AMEMBASSY TOKYO

USMISSION EC BRUSSELS

USMISSION USUN NEW YORK

USMISSION OECD PARIS

USMISSION GENEVA

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E.O. 11652: N/A

TAGS: EFIN, GW

SUBJECT: DISCUSSION OF EMINENT PERSONS REPORT AT
OECD INVESTMENT EXPERTS MEETING

REF: STATE 137390

1. EMBOFF DISCUSSED THE CONTENTS OF REFTEL WITH VON
DEWITZ THE INVESTMENT EXPERT OF THE ECONOMICS
MINISTRY. VON DEWITZ SAID THE FRG WAS ALSO
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DISAPPOINTED IN THE EMINENT PERSONS REPORT BUT HE

ADDED THAT THEY HAD BEEN SKEPTICAL OF THE LIKELY RESULTS FROM THE OUTSET GIVEN THE COMPOSITION OF THE GROUP.

2. VON DEWITZ READILY AGREED TO EMBOFF'S SUGGESTION THAT REPORT BE DISCUSSED IN DETAIL AT JULY 8-9 OECD INVESTMENT EXPERTS MEETING AND THAT AN ATTEMPT BE MADE TO POSTPONE ECOSOC DISCUSSION OF THE REPORT UNTIL LATE JULY. HE WAS NOT OPTIMISTIC ABOUT THE LATTER TACTIC, HOWEVER, SINCE HE FELT THERE WOULD BE CONSIDERABLE PRESSURE TO REACH EARLY DECISION ON THE INSTITUTIONAL ISSUES OF THE REPORT.

3. VON DEWITZ THEN DISCUSSED THE FRG POSITION ON THE SPECIFIC RECOMMENDATIONS OF THE REPORT.

A. YEARLY DISCUSSION. ALTHOUGH THE FRG AGREES THAT THERE WILL BE DISADVANTAGES TO A YEARLY DISCUSSION IN THE ECOSOC OF MNC ISSUES, IT IS PREPARED TO ACCEPT THIS RECOMMENDATION. THE FRG BELIEVES THAT SUCH A DISCUSSION MIGHT PROVIDE A RELATIVELY HARMLESS OUTLET FOR THE DISCUSSION OF MNC ISSUES. IT ALSO FEELS THAT THIS IS ONE OF THE LEAST DANGEROUS RECOMMENDATIONS.

B. UN COMMISSION. THE FRG HAS NOT YET REACHED A POSITION ON THIS ISSUE. AID MINISTER EPPLER PREFERS A GROUP OF INDEPENDENT EXPERTS WHILE THE ECONOMICS MINISTRY STRONGLY FAVORS A GOVERNMENTAL BODY AS A SUBGROUP OF ECOSOC. VON DEWITZ THOUGHT THAT THE US SUGGESTION OF A GROUP OF GOVERNMENT REPRESENTATIVES, WHILE DESIRABLE, WAS PROBABLY UNOBTAINABLE AND WOULD ONLY GIVE THE IMPRESSION THAT THE INDUSTRIALIZED COUNTRIES ARE STALLING ON THIS ISSUE.

C. INFORMATION AND RESEARCH CENTER. THE FRG DOES NOT WANT TO CREATE A NEW INSTITUTION FOR THIS PURPOSE. IT WOULD PREFER SOMETHING SMALL WHICH WOULD ACT AS THE SECRETARIAT FOR THE COMMISSION BUT WOULD HAVE NO INDEPENDENT ROLE OF ITS OWN.

D. RESOLUTION. THE FRG CANNOT ACCEPT THE RECOMMENDATION OF LIMITED OFFICIAL USE

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TIONS AS THEY NOW STAND. HOWEVER, IT EXPECTS THAT THERE WILL BE CONSIDERABLE SUPPORT FOR A RESOLUTION EMBODYING THE REPORT'S RECOMMENDATIONS AND CONSEQUENTLY IT IS PREPARED TO AGREE IF THE LANGUAGE OF SOME OF THE RECOMMENDATIONS CAN BE APPROPRIATELY AMENDED. IN ORDER TO BE ACCEPTABLE TO THE FRG THE RECOMMENDATIONS WOULD HAVE TO INCLUDE REFERENCES TO INTERNATIONAL LAW AND TO PROVIDE ADEQUATE AND EFFECTIVE COMPENSATION

IN THE RECOMMENDATIONS REFERRING TO EXPROPRIATION.
THE FRG OPPOSES THE USE OF SOFT LOANS IN THE CASE OF
EXPROPRIATIONS. IT ALSO OPPOSES ANY ATTEMPT TO LIMIT
THE RIGHT OF A HOME GOVERNMENT TO PROTECT THE
INTERESTS OF ITS CITIZENS, INDIVIDUAL OR CORPORATE,
IN THE CASE OF DISPUTES WITH FOREIGN GOVERNMENTS.
HILLENBRAND

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: MEETING AGENDA, INVESTMENTS, CONSULTANTS, MEETINGS, MEETING REPORTS
Control Number: n/a
Copy: SINGLE
Draft Date: 01 JUL 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: golinofr
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974BONN10450
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D740174-0817
From: BONN
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19740785/aaaacuxz.tel
Line Count: 122
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION EB
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators:
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: STATE 137390
Review Action: RELEASED, APPROVED
Review Authority: golinofr
Review Comment: n/a
Review Content Flags:
Review Date: 04 APR 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <04 APR 2002 by worrelsw>; APPROVED <19 JUN 2002 by golinofr>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: DISCUSSION OF EMINENT PERSONS REPORT AT OECD INVESTMENT EXPERTS MEETING
TAGS: EFIN, OCON, GE, OECD
To: STATE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005